

Seattle Cops Who Shot Che Taylor Sue Kshama Sawant for Calling It 'Murder'

Officers Scott Miller and Michael Spaulding say the fiery socialist defamed their reputations.

By Casey Jaywork

Tuesday, August 22, 2017 5:00pm | [NEWS & COMMENT](#) [POLICE](#) [SEATTLE CITY COUNCIL](#)



Seattle city councilmember Kshama Sawant. Photo by Seattle City Council via Wikimedia Commons

The pair of Seattle police officers who shot Che Taylor to death in 2016 have filed a defamation lawsuit against Seattle City Councilmember Kshama Sawant for calling the shooting “murder.”

“This is not a complaint against the City of Seattle or its City Council. The plaintiffs do not want one red cent of public money,”

reads the complaint, via *The Seattle Times*. “This is a Complaint seeking damages against one individual who, acting in her own capacity and only on her own behalf, defamed two good men. Police officers, Scott Miller and Michael Spaulding, do a hard job for modest pay and little thanks—realities they accept. But what they do not accept, and what the law does not permit, is having their reputations ruined by an ambitious politician.”

Spaulding and Miller shot Taylor to death under suspicious circumstances last year. As our own Rick Anderson put it, “The officers, fearing for their lives, fired at Taylor from point-blank range after not seeing a gun in his hand. They nonetheless assumed he was about to shoot them.”

A police review board cleared the shooting and a jury inquest later concluded that both officers feared for their lives, which in Washington State is sufficient legal justification for a police killing. Both are still officers with SPD.

The slaying was one more in a long pattern of police officers killing unarmed black men (and others) that Americans have seen with increasing frequency since smartphones became ubiquitous. It inspired protests and marches where thousands decried police violence, in Seattle and across the country.

Sawant—a “socialist folk hero,” according to the suit—was among them. “Approximately five days after the shooting, Sawant appeared before a crowd and media in front of the police department,” reads the complaint. “She went on to pronounce Che Taylor’s death a ‘brutal murder’ and a product of ‘racial profiling.’”

Because the shooting was cleared by police and an inquest, the complaint argues, Sawant’s characterization of the killing as “murder” defames the character of the two police officers.

Sawant did not immediately respond to request for comment. She is also facing a defamation lawsuit from slumlord Carl Haglund, for calling him a “slumlord.”

cjaywork@seattleweekly.com

SEATTLEWEEKLY

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(Exhibit) filed in Federal Court 7/25/2016 5:06:22 AM

**Criminal Information Bulletin**

Criminal Intelligence Section

58350

Headquarters

Date: 7/8/2016

Bulletin prepared by: Detective Ranilhan — Phone: (206) 684-8770

OFFICER SAFETY BULLETIN**THREATS TO SHOOT POLICE OFFICERS/CRISIS**

KYLE L. CANTY B/M/7-20-85 S/07/160
LKA: 77 S. Washington
NO Known vehicles

H3972310 BD:7/20/1985 30YM
CANTY
KYLE
H. EMERGENCY DEPARTMENT
DOB: 7/20/1985
Enc: 1806633415- RES:
[Barcode]

There is no probable Cause for his Arrest.

THERE IS A HAZARD IN NCIC RECORD IN NCIC FOR THREATENING TO SHOOT OFFICERS.

THIS INFORMATION IS PROVIDED FOR OFFICER SAFETY DUE TO HIS ACTIONS/WORDS AND ESCALATING ANGER AND FOCUS ON THE POLICE.

- On 7-2-18 Canty approached an SPD officer on a call and yelled obscenities. Canty stated that he would assault officers if they tried to put hands on him for any reason.
- On 7-5-18 Canty approached SPD Officers at a Starbucks and was videotaping them. Canty made the statements "you want a war with me, you don't want a war with me". "I know where you guys hang out stop harassing me" "do you know about the gun laws in the state of Washington". "It's in your best interest to stop harassing me".
- On 7-6-18 Canty went to the Seattle Police Department OPA office saying he was feeling harassed and threatened by police. He stated that he planned to purchase a firearm to defend himself. He said he would shoot officers if they pulled a gun or taser on him without a warrant.
- On 7-7-18 Canty called the US Attorney's office in Seattle and became upset with the receptionist and stated that he would "start shooting SPD officers if he doesn't get the help he wants". He then called back and left a message that he feels his life has been threatened by the police department and he will protect himself by using deadly force.

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Req Id:

reagent: 09/29/16 17:59:09

Exhibit (A)

CLERK'S MINUTES

SCOMIS CODE: DSMHRG

Judge: Catherine Shaffer
Bailliff: Yayi Ding
Court Clerk: Nico Ceja
Reporter: JoAnne Leatiota
Digital Record: W-829

Dept. 11
Date: 11/28/2016

KING COUNTY CAUSE NO.: 16-1-03103-6 SEA

State of Washington vs Kyle Canty

Appearances:

State appearing by DPA Aubony Burns
Defendant appearing in person, pro se

MINUTE ENTRY

This cause comes on for Trial

9:08:00 START

The Court and Respective Counsel discuss court proceedings and scheduling of trial

The Court and Respective Counsel discuss Defendant's request to obtain material off of his cell phone as evidence

The State informs the Court that the Defendant's cell phone has been destroyed

Respective Counsel to return 11/29/16 with written arguments on why the phone was destroyed, and what exculpatory evidence may have been lost in the process

Court Adjourns, to continue 11/29/16 at 9:00 AM

EXhibit (A)

**State of Washington vs Kyle Canty
King County Cause No. 16-1-03103-6 SEA**

Date: 11/29/16

Judge: Catherine Shaffer
Balliff: Yayi Ding
Court Clerk: Nico Ceja
Reporter: JoAnne Leatiota
Digital Record: W-829

Continued from: 11/29/16

MINUTE ENTRY

All parties present

9:43:00 START

Respective Counsel present briefing

The Court and Respective Counsel discuss the Defendant's claims re exculpatory evidence loss, due to the destruction of his cell phone

Defendant's Motion to Dismiss with Prejudice is Granted

Order is signed

10:11:00 Court Adjourns

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FILED
JUN 01 2017
RECEIVED

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

KYLE LYDELL CANTY
Plaintiff,

AMENDED COMPLAINT
Case No. 2:16-CV-01655-
RAJ-JPD

VS.

CITY OF SEATTLE, et al
Defendants.

JURY DEMAND
PURSUANT TO
LCR 38

I. JURISDICTION AND VENUE

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of State law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. Section 1331, and 1357. The Court also has

Jurisdiction under 42 U.S.C.
Section 1985(3)

2. The Western District of Washington is an appropriate venue under 28 U.S.C. Section 128(b)

II. PLAINTIFF

3. Plaintiff Kyle Lybell Canty is and was at all times mentioned herein a homeless resident of the City of Seattle State of WA

III. DEFENDANTS

4. Defendant City of Seattle is legally, morally, and ethically responsible for the operation of the Seattle Police Department and its officers "acting as a local government" Serving the public

5. Defendant King County is legally, morally, and ethically responsible for the operation of the King County Designated Mental Health

Professionals who are or who were employed by King County "acting as a local government" serving the public

6. Defendant Timothy Renihan is a police officer of the Seattle Police department who at all times mentioned in this Complaint, held the rank of lead detective and was assigned to and in charge of falsifying official Police reports pertaining to Plaintiff Kyle Lydell Canty

7. Defendant Sean Culbertson is a police officer of the Seattle Police department who at all times mentioned in this Complaint, held the rank of police officer.

8. Defendant Marshall Coolidge a police officer of the Seattle Police department who at all

times mentioned in this Complaint held the rank of Swat team member.

9. Defendant who is only known by the name engraved on the stock of his assault Rifle "Hancock" is the name of this Police officer of the Seattle Police department who at all times mentioned in this Complaint held the rank of Swat team member.

10. Defendant Gail Bonicalzi is a designated mental health Professional of King County Crisis and Commitment who at all times mentioned in this Complaint, held the Job title of designated mental health Professional

11. Defendant Melinda Hasegawa is a designated mental health Professional of King County Crisis and

Commitment Who at all times mentioned in this Complaint, held the Job title of the filing designated mental health professional

12. Each defendant is Sued individually and in his official Capacity. At all times mentioned in this Complaint each defendant acted under the Color of State law

III. FACTS

13. At all times relevant to this Case Plaintiff Kyle Lydell Canty Proclaimed his innocence pertaining to State of Washington VS. Kyle Canty - Cause No. 16-1-03103-6 SEA

14. On July 8, 2016, Defendant Timothy Renihan orchestrated a Civil Commitment arrest, on Plaintiff Kyle Lydell Canty on 4th AV and Pine located in downtown Seattle WA. This
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fact can not be disputed, since the Defendant was bold enough to make fun of this fact in his own case file reports.

15. On July 8, 2016 Defendant Melinda Hasegawa conspired with Timothy Renihan by abusing her authority and manipulating the Civil Commitment Laws of the State of Washington, by illegally having the Plaintiff Kyle Lydell Canty civilly committed to Harborview Medical Center under false pretenses, and malicious and evil motive, MR. Canty was held at Harborview Medical Center for a 72 hour period not including Saturdays or Sundays.

16. On July 8, 2016 Defendant Gail Bonicalzi conspired with Timothy Renihan and Melinda Hasegawa by abusing her authority and further manipulating

the Civil Commitment laws of the State of Washington handed down by the legislative branch of the State of Washington, defendant Gail Bonicalzi in a face to face Conversation tried to get the Plaintiff MR. Kyle Lydell Canty to Confess to Crimes that he didn't Commit, and even though the Plaintiff proclaimed his innocence pertaining to State of Washington VS. Kyle Lydell Canty Cause No. 16-1-03103-6 SEA, defendant Gail Bonicalzi maliciously, and with evil motive falsified statements that permanently affects the Plaintiff's medical records, as well as Court records

17. On July 8, 2016 defendant Marshall Coolidge conspired with Timothy Renihan to illegally stalk, harass, assault, and arrest with no probable cause the

Plaintiff Kyle Lydell Canty. Marshall Coolidge publicly did this to MR. Canty in front of hundreds of people on 4th and Pine located in downtown Seattle

18. On July 8, 2016 Defendant "Hancock" conspired with Marshall Coolidge and Timothy Renihan to illegally stalk, harass, assault, intimidate, and arrest the plaintiff Kyle Lydell Canty in front of hundreds of people on 4th and Pine located in downtown Seattle

19. On July 5th, 6th, and 7th of the year 2016 Defendant Sean Culbertson followed and stalked the plaintiff Kyle Lydell Canty in a marked Seattle Police department vehicle. Defendant Sean Culbertson followed and stalked the plaintiff in an alley and tried to kill MR Canty by attempting to run

him over with the city issued marked Seattle Police department vehicle. The Plaintiff was recording these behaviors of this officer with his Cell Phone. The Cell Phone in question was intentionally destroyed along with all of the Plaintiff's personal property. Please see attached Exhibit (A) that proves this statement. Exhibit (A) pertains to State of Washington vs. Kyle Canty, Cause No 16-F03103-6 SEA, Dismissed with Prejudice motion was granted due to exculpatory evidence being destroyed by the Seattle Police department before the trial ended.

20. Between the dates of July 5th-7th the Plaintiff Kyle Lydell Canty goes and files a Complaint with internal affairs and by July 8, 2016 MR. Canty

the Plaintiff finds himself being Civilly Committed to Harborview Medical Center Under false Pretenses. Clearly MR. Canty was Set up and framed.

21. On July 13, 2016 Defendant Timothy Renihan, according to the Plaintiff's medical records was highly upset that Harborview Medical Center could not legally prove the Plaintiff needed to be Civilly Committed in the first place. Harborview Medical Center released MR. Canty the Plaintiff, however Timothy Renihan illegally arrested the Plaintiff yet again for the second time in a row five days after the first illegal arrest and this time MR. Canty the Plaintiff was being charged criminally instead of civilly under the same false pretenses.

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22. The plaintiff Kyle Lydell Canty was illegally and without probable cause arrested and booked into the King County Jail from July 13, 2016 to November 29, 2016. Please see Exhibit (A) the plaintiff was released from jail after he won at trial.

IV. Legal Claims

23. Plaintiff reallege and incorporate by reference paragraphs 1-22.

24. Defendant City of Seattle by way of the Seattle Police Department has an internal affairs unit that investigates police misconduct, instead of this unit really taking the plaintiff's complaint seriously. This unit that is called internal affairs violated their own mission statement, code of ethics, and policies by not properly investigating the Seattle

Police department and their officers named in this Complaint who repeatedly followed, stalked and tried to kill the plaintiff when the plaintiff notified internal affairs face to face and in writing, internal affairs police officers then made up not true statements about the plaintiff and closed the internal affairs investigation on their own officers. days later the plaintiff was arrested for allegedly felony harassing the Seattle Police department and it's officers, State of Washington VS. Kyle Canty Cause No 16-1-03103-6 SEA

25. Defendant City of Seattle's actions violated Plaintiff Kyle Lydell Canty's rights under the First, Fourth, Fifth, and Eighth amendment to the United States Constitution, and caused Plaintiff

MR. Canty Pain, Suffering emotional distress, and extensive Personal Property loss.

26. Defendant King County's actions violated Plaintiff Kyle Lydell Canty's rights under the Fourth, Fifth, and Eighth amendments to the United States Constitution, and Caused Plaintiff MR. Canty Severe Suffering, intentional infliction of emotional distress, and Personal Property loss

27. Defendant Timothy Renihan actions were malicious and intentional and violated Plaintiff Kyle Lydell Canty's rights under the Fourth, Fifth, and Eighth amendments to the United States Constitution, and Caused Plaintiff MR. Canty intentional infliction of emotional distress, Severe Suffering,

Red flags in the NCIC data base (National Criminal instant check) "pertaining to arrests, and personal property loss that this Detective admitted to intentionally, knowingly, maliciously destroying (on official Court record)"

28. Defendant Gail Bonicalzi's actions violated Plaintiff Kyle Lydell Canty's rights under the Fourth, Fifth, and Eighth amendments to the United States Constitution, and caused Plaintiff MR. Canty severe suffering, intentional distress, and personal property loss

29. Defendant Melinda Hasegawa's actions violated Plaintiff Kyle Lydell Canty's rights under the Fourth, Fifth, and Eighth amendments to the United States Constitution,

and Caused Plaintiff MR Canty Severe Pain, Suffering, intentional infliction of emotional distress, and personal property loss.

30. Defendant Sean Culbertson's actions were knowingly, intentionally, willfully malicious and violated Plaintiff Kyle Lydell Canty's rights under the Fourth, Fifth, and Eighth amendments to the United States Constitution and Caused Plaintiff MR. Canty intentional infliction of emotional distress, pain, severe suffering, Red flags in the NCIC National Criminal database, and extensive Personal Property loss.

31. Defendant Marshall Coolidge's actions were knowingly, intentionally, willfully malicious and violated Plaintiff Kyle Lydell Canty's rights under the

Fourth, Fifth, and Eighth amendments to the United States Constitution and Caused Plaintiff MR. Canty Physical Pain, by tackling to the ground, also the Defendant Caused the Plaintiff intentional infliction of emotional distress, Severe Suffering, and extensive Personal Property loss.

32. Defendant "Hancock's" actions were knowingly, intentionally, willfully malicious and violated Plaintiff Kyle Lydell Canty's rights Under the Fourth, Fifth, and Eighth amendments to the United States Constitution and Caused Plaintiff MR. Canty intentional infliction of emotional distress, extreme fear, pain, Severe Suffering, and extensive Personal property loss.

V. PRAYER FOR RELIEF

WHEREFORE, plaintiff respectfully pray that this Court enter Judgment:

33. Granting plaintiff Kyle Lydell Canty a declaration that the acts and omissions described herein violate his rights under the Constitution and laws of the United States,

34. and a permanent injunction ordering all Defendants to cease their physical violence, threats, and mental abuse towards plaintiff MR. Canty

35. Granting plaintiff Kyle Lydell Canty Compensatory damages in the amount of 50,000,000 → Fifty million dollars against each defendant jointly and severally.

36. Plaintiff Kyle Lydell Canty Seeks Punitive damages in the amount of 10,000,000 → Ten million dollars Plaintiff, Kyle Lydell Canty Seeks these damages against each defendant, jointly and severally.

37. Plaintiff also Seeks a Jury trial on all issues triable by Jury.

38. Plaintiff also Seeks recovery of their Costs in this Suit, and

39. Any additional relief this Court deem Just, Proper, and equitable

Dated May 16, 2017

Prepared by:

Kyle Lydell Canty

BA# 216035994

2 05/16, 2017

500 Fifth Ave

Under Penalty

Seattle WA 98104

Of Per Jury

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Executed May 16, 2017